



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Okunji, et al.

SERIAL NO.: 09/428,203

FILING DATE: October 17, 1999

GAU: 1655

EXAMINER: M. Flood

FOR: PLANT DERIVED ANTI-PARASITIC
AND ANTI-FUNGAL COMPOUNDS
AND METHODS FOR EXTRACTING THE
COMPOUNDS

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

The following is a response to the Examiner's restriction requirement dated January 29, 2007. This response is timely filed within the two-month extension period, and thus a two-month extension of time is respectfully requested.

The Commissioner is hereby authorized to charge all fees pertaining to the filing of the Election, fees for extension of time, and any other fees due in connection with the filing of this paper, or credit any overpayment, to U.S. Army Medical Research and Materiel Command Deposit Account No. 210380.

Please be advised that the Applicants elect the species *Napoleonea imperialis*, the solvent methanol and the seed portion of the plant, with traverse. Therefore, claims 1, 11, 12, 30, 31, 38 and 40 are readable on the elected species. Applicants reserve the right to file a divisional application for the non-elected claims.

Applicants respectfully traverse the Examiner's assertion that the restriction requirement is due to the fact that the claims recite patentably distinct species. As evidenced by the prior art

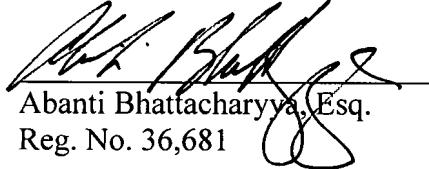
cited by the Examiner, a search for plants exhibiting anti-leishmanial activity will invariably include a search for *N. imperialis*. Also, as evidenced by the prior art cited by the Examiner, a search for anti-leishmanial activity of *N. imperialis* will invariably include a search of all portions of a plant. Similarly, a search for solvents will no doubt include others including those recited in the claims of the present invention, as evidenced by the prior art cited by the Examiner. Thus, no undue burden is placed upon the Examiner.

For the reasons given above, removal of the restriction requirement is respectfully requested.

The Examiner is respectfully requested to send all correspondences to: Ms. Elizabeth Arwine, Esq.; Office of the Staff Judge Advocate; U.S. Army Medical Research & Materiel Command; 504 Scott Street, Fort Detrick, Maryland 21702-5012; Attn: MCMR-JA (Ms. Arwine). Please direct any questions regarding this case to Ms. Abanti Bhattacharyya, Esq., at (410) 964-9553.

04-12-07

Date


Abanti Bhattacharyya, Esq.
Reg. No. 36,681